

Virginia Ocean Plan

FY19 Task 94.01

Final Report, Grant Period October 1, 2019 to Sept 30, 2020

Grant# NA19NOS4190152

Compiled by Todd Janeski, VCU, Department of Life Sciences

This project was funded by the Virginia Coastal Program at the Department of Environmental Quality through Grant FY19: NA19NOS4190152 of the National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Management, under the Coastal Zone Management Act of 1972, as amended.



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Overview

The VCU Environmental Scientist/Analyst, retained by the Virginia Coastal Zone Management Program, served as the Ocean Planning Stakeholder Engagement Coordinator (OPSE) for the grant reporting period under the VACZM Section 309 Ocean Resources Strategy. Efforts were targeted to the commercial and recreational fisheries with the key outputs of strengthening the relationship with the CZM as it relates to changes in ocean use. The COVID-19 pandemic affected the seafood industry and the means by which meetings were held but the outreach and engagement efforts continued.

Ocean planning in the Commonwealth includes a partnership, the Mid-Atlantic Regional Council on the Ocean (MARCO), which includes representatives from the States of New York, New Jersey, Delaware, Maryland and Virginia. The broader MARCO effort is being supported through several contractors such as Monmouth University, University of Delaware, Rutgers University, Nature Conservancy, and NatureServe. Primarily, ocean planning brings together the sectors of Ports and Navigation, Military, Commercial Fisheries, Recreational Users, Alternative and Traditional Energy, Conservation, Tourism, and Local Government. These sectors have been brought together both in the Commonwealth as well as in the region to share information regarding ocean uses for the purpose of understanding the complexity of overlapping and abutting uses. The relationship with the commercial industry has continued to grow where representatives from the east coast have shared their experiences with respect to the changes in ocean use. Fishers have shared concerns regarding the loss of access to fishing areas or changes in transit routes that would increase operating expenses or take away days at sea. The competition for access continues to be a concern as the lack of formal organization, the industry shares concerns that the developers are more able to invest in advancing energy development due to more available capacity and funding.

During the grant cycle, the OPSE Coordinator had extensive communication with field partners including NOAA, Department of Mines Minerals and Energy (DMME), VA Marine Resources Commission (VMRC), Fisheries Representative from Sea Freeze Inc, Responsible Offshore Development Alliance (RODA), Long Island Commercial Fisheries Association, Virginia Watermen's Association and representatives from the Virginia commercial fishing fleet. The focus of the interactions has been to obtain input on the continued development of offshore renewable energy and to continue with increasing their knowledge regarding other changes in ocean use. The OPSE Coordinator participated in the Regional Offshore Coordination meetings hosted by MACO, MARCO and Rhode Island.

The OPSE Coordinator and VCZM were invited by Dominion Energy to provide direct feedback and be updated on the progress of the Coastal VA Offshore Wind (CVOW) project and the OPSE Coordinator attended the January 2020, Virginia Offshore Wind Development Alliance (VOWDA) meeting in Henrico, VA. In February 2020, Orsted-Dominion hosted meeting at the

Virginia Beach Aquarium and Marine Science Center on the development of both the research and commercial CVOW projects. The intention of the meeting was to communicate to the commercial fishing fleet and obtain direct feedback but was scheduled at 8am during peak fishing activity. The Fisheries Liaison indicated it was unfortunate that the fishing industry was not present based on the very low attendance of representatives from the fishing fleet. Additionally, the Liaison did not display the known fishing activity in the lease area that was published in the Collaborative Fisheries Planning document. The OPSE Coordinator used the opportunity to communicate the specific components outlined in that document of those active fishing areas. Dominion's contracted commercial fishing representatives which assist as scout vessels did not attend the meeting. After the meeting, the OPSE Coordinator updated the fishermen in the area. This included the anticipated timing of the export cable installation, deployment of marker buoys. An outcome of this meeting was the development of an ODU organized collaboration of VCU, Va Tech, CNU, ODU and VIMS to discuss developing research ideas around the turbines prior to, during and post deployment of the Research CVOW project to inform the deployment of the commercial lease and the required COP. At the conclusion of the Orsted-Dominion meeting, the Deputy Director of DMME, invited the OSPE Coordinator to a meeting with VCU to discuss how the University might work more directly with the agency on renewable projects.

In March, 2020, the OPSE Coordinator and the VCU Rice Rivers Center Director met with DMME to discuss how VCU could be a resource to the agency on a variety of renewable projects in the form of research, database development, mapping and internships as those projects advance. Specifically, the DMME requested they wanted more and outreach to the commercial fishing industry as both the research and commercial CVOW projects advance. The VCU began the development of a proposal to outline the types of assistance that could be provided to DMME.

As the COVID-19 pandemic changed work situations, the OPSE Coordinator, employing COVID-19 best practices, held face-to-face meetings with representatives from the commercial fishing sector in the Newport News, Hampton, and Virginia Beach areas. In addition to sharing details of the status of deployment of the CVOW-P, the USCG had opened the public comment period for several transit studies, specifically the Northern NY Bight Port Access and Route Study (PARS). The OPSE Coordinator shared the MARCO portal illustrating of the routes both in person and via email. The in-person interactions provided for immediate feedback and ability to further engage on the proposed routes but also was to share the value of the MARCO portal and data contained within. The Coordinator also shared the opportunity for representatives of the fishing (commercial and recreational) to join the Responsible Offshore Science Alliance (ROSA) speaking directly and in person with representatives from the charter and dredge sectors.

As the CVOW-C project continued to advance the pot fishery was informed of the process and means for involvement and engagement. The OPSE Coordinator shared the timeline, the permitting process, their role throughout the project and were made aware of regional efforts and other fishing communities working with the developers in the northeast. The fishing representatives requested the OPSE Coordinator assist in securing a meeting with Dominion to communicate their concerns as the development was overlapped with their historical fishing grounds. The meeting was held on the eastern shore of Virginia where the CVOW-C project

team presented the timeline, the permitting process, and anticipated deployment. The meeting left little time for the original intent of the meeting to allow the commercial sector to openly share their perspective and obtain comfort in how they would be impacted and considered. RODA representatives attended the meeting and sent a follow up correspondence to the CVOW-C project team expressing specifically the concerns and how the industry would like to be directly involved. The letter outlined the role of the commercial fishermen in the establishment of the baseline, by which would be used to determine impacts and potential compensation for displacement, as well as the long-term impacts of how the project would change fishing in the region and they would be equitably considered. The commercial fishing representatives requested continued support from the OPSE Coordinator to understand the status of and process involving the submission of the Construction and Operations Plan (COP). The affected commercial fishing fleet, now RODA members, requested a letter from RODA to be sent to Dominion outlining how the commercial fishing sector should be clearly identified in the COP. The COP was officially submitted in December, 2020.

During the summer of 2020, the OPSE Coordinator was invited to visit the turbines by the VMRC Finfish Management Advisory Committee (FMAC) Chair. The trip was joined by the VMRC Fisheries Section Manager. The turbines were not operational at the time of the visit but provided first-hand understanding of the scale and scope of the project.





The OPSE Coordinator was contacted by representatives of NC Wind/Kitty Hawk Wind to discuss outreach mechanisms for communicating with the shared commercial fishing fleet. Effort was made to reach the NC Fleet and seek their input. Upon their request, they indicated their desire for the VA OPSE Coordinator to serve as the intermediary between them and the Kitty Hawk Wind developer until further progress was made to identify a specific project and timeframe.

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